

**CITY OF KNOXVILLE  
BUILDING BOARD OF ADJUSTMENTS AND APPEALS  
MEETING AGENDA  
October 16, 2015 -- 9:00 A.M.**

SMALL ASSEMBLY ROOM – CITY/COUNTY BUILDING (400 MAIN ST)

This meeting and all communications between the Board members is subject to the provisions of the Tennessee Open Meetings Act, Tenn. Code. Ann. § 8-44-101, *et seq.*

**ROLL CALL**

Board Chairman Doyle Webb called the meeting to order at 9:05 am.

Members present: Doyle Webb, Albert Beasley, David Icove, John Kenny, David Smith, Jimmy Taylor, William Waters

Others in attendance: Tom Reynolds, Deputy Director of Plans Review and Inspections; Crista Cuccaro, Law Department; Angelia Rooks, Board Secretary; and Sonny Parton, Fire Inspections.

**APPROVAL OF MINUTES**

September 18, 2015 Minutes

Board member John Kenny made a motion to approve the September minutes. The motion was seconded by Board member William Waters. The Board voted 7-0 to **APPROVE** the September 18, 2015 minutes.

**NEW BUSINESS**

<b>BD10A15BU</b>	Address:	325 Union Avenue
	Owner:	David Brown
	Applicant:	Brett Honeycutt (3G Studios)
	Code Section:	2012 IBC, SECTION 1208.2

**Request:** Allow a small portion of a private storage room to have a ceiling height of 5 feet 9 inches.

Brett Honeycutt, the applicant, was present. The owner planned to create a private storage room in a crawl space area of the basement of a mixed use building. The existing ceiling height in a portion of the room was too low to comply with the minimum 7 ft. height requirement. Compliance would require modifying other tenant spaces and moving mechanical systems, or lowering the floor level. Only the resident will have access to the room. It's under a retail tenant space, and will be fire rated separately. There is a code-compliant stair to the basement accessed through the center tenant space, used by KUB to read the meters, and locks from the tenant side. The crawl space area currently serves as mechanical access to the boiler room in the basement for the residence. Mr. Honeycutt said mechanical access has different standards than egress stairs.

Board member John Kenny asked the staff if this was a common issue with single family residences. Tom Reynolds, Deputy Director of Plans Review, said if crawl spaces were used for storage, then it was without our knowledge. If asked by the homeowners, we would advise them of code requirements for storage spaces. He compared it to pull-down stairs for attic storage.

Board member Jimmy Taylor had concerns with the retail tenant locking a door to a common basement space and blocking access to the one compliant stair. Mr. Honeycutt said the tenant owns the building and would have keys to any door.

Board member John Kenny disagreed that this was boiler room access. Sonny Partin, KFD, said this was not a boiler, it was not rated, and there were no permits on it. Mr. Honeycutt agreed, said he used the wrong word, and stated that the room contained an instant water heater and two water tanks to service a large shower. It's only accessible through the residential unit and is still considered a crawl space. He confirmed that the owner is aware of and understands the issues.

Mr. Partin, KFD, asked if there were any plans for future expansion involving this stair and crawl space area. Mr. Honeycutt confirmed that there were future plans to convert the basement area into a media room, at which time the stair would be modified and brought into compliance. Mr. Partin asked the Board to add a condition to any approval, so that pipes or anything else that can be moved to increase headroom will be moved. Mr. Reynolds supported the condition.

Board member John Kenny made a motion to approve the request with a condition. The motion was seconded by Board member Albert Beasley. The Board voted 6-1 to **APPROVE** the request with the condition of relocating piping or conduits that can reasonably be moved, as determined by Building and Fire officials. Board member Jimmy Taylor voted against the motion.

Board member David Ilove left the meeting at 9:25 am.

<b>BD10B15BU</b>	Address:	325 Union Avenue
	Owner:	David Brown
	Applicant:	Brett Honeycutt (3G Studios)
	Code Section:	2012 IBC, SECTION 1009.7.2

**Request:** Allow maximum riser to be 9 ½ inches; and vertical plan of nosings to be 6 feet for a private residence storage room.

Mr. Honeycutt said the existing stairs were steep, like a ladder or attic access stairs, but more substantial. A handrail would be added.

Mr. Reynolds stated that they cannot build a code compliant stair in that space, which is why the staff denied the request. Mr. Partin said he didn't know which was more hazardous, the low ceiling or the steep stair. He asked if the room above the crawl space could be used to provide compliant stairs. Mr. Honeycutt said that was a mechanical room for a retail tenant space and would need substantial modifications to gain access.

Board member Jimmy Taylor asked if the only hardship was financial. Mr. Honeycutt answered it's just a simple, private, residence storage space; and making all the required changes would increase the cost by \$10,000 to \$15,000. Mr. Taylor stated that even if the stair matched the definition of a ship's ladder, it would not be in compliance. A ship's ladder is for a work space up to a maximum of 250 sf, and the crawl space is almost 500 sf.

Mr. Reynolds asked Mr. Honeycutt how comfortable he felt, as a registered architect, building this stair. Mr. Honeycutt said he had no problem at all with it.

Mr. Partin said KFD would use the commercial area access, and they have keys to access the entire building.

Board member John Kenny proposed a condition on any approval that the space must remain a private storage area. If the owner changes the use of the room or expands the basement area, then the variance approval would no longer apply.

Board member John Kenny made a motion to approve the request with a condition. The motion was seconded by Board member William Waters. The Board voted 5-1 to **APPROVE** the request with the condition that it is used only as a private residential storage room as per submitted site plans. Board member Jimmy Taylor voted against the motion.

**BD10C15BU**      Address:                325 Union Avenue  
                         Owner:                    David Brown  
                         Applicant:               Brett Honeycutt (3G Studios)  
                         Code Section:           2012 IBC, SECTION 1009.4

**Request:** Allow minimum stairway width to be 30 inches for a private residence basement storage room.

Mr. Honeycutt stated that the stair width is wider at the first floor, but a beam runs through the stairwell and narrows the width to 30 inches. The cost to move the beam would be substantial. Adding a handrail would reduce the width.

Mr. Partin said he would like to recommend two handrails because the stair is so steep, but he would prefer to visit the site first to determine if the reduced width would be reasonable. Board member Jimmy Taylor stated that the minimum width for ship's ladders is 20 inches between handrails, so adding a second handrail would not narrow the stair enough that it would be out of compliance.

Board Chairman Doyle Webb stated that he felt comfortable with this since it was for a single resident's use.

Board Chairman Doyle Webb made a motion to approve the request as written. The motion was seconded by Board member William Waters. Board member Jimmy Taylor amended the motion to add a condition of approval to allow KFD to determine on site if handrails are necessary. The amendment was seconded by Board member William Waters. The Board voted 6-0 to approve the amendment. The Board voted 6-0 to **APPROVE** the motion as amended.

## **OTHER BUSINESS**

Appointment Acknowledgment forms to be completed by BBAA members. Crista Cuccaro will add a training presentation to the December agenda.

The next BBAA meeting is November 20, 2015.

## **ADJOURNMENT**

The meeting was adjourned at 9:50 am.

Respectively submitted,

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Angelia Rooks, Board Secretary